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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,361	05/16/2005	Erwin Weh	JFIE5.004APC	1080
20995 7590 10/22/2007 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER RIPLEY, JAY R	
			ART UNIT 3679	PAPER NUMBER
			NOTIFICATION DATE 10/22/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
eOAPilot@kmob.com

**Office Action Summary**

Application No.

10/506,361

Applicant(s)

WEH ET AL.

Examiner

Jay R. Ripley

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 08/02/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/02/2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)                      |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application            |
| Paper No(s)/Mail Date _____  | 6) <input checked="" type="checkbox"/> Other: <u>Attachments A, B, C, D.</u> |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/02/2007 has been entered.

### ***Drawings***

2. The drawings were received on 08/02/2007. These drawings are not acceptable.

3. The drawings are objected to because Figure 3 is missing appropriate material representative cross-hatching. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or

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“New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

4. Claim 5 is objected to because of the following informalities: in line 2, the recitation of “collet chucks are arranged” should be --collet chucks is arranged--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 3-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. In regard to claim 1, it is recited in line 3, “a sliding sleeve for locking collet chucks via a connection nipple” (emphasis added). The preposition “via” can be defined as: by means of, by way of. It is unclear as to how a connection nipple can lock collet chucks. What is the recited structure that justifies the limitation?

8. In regard to claim 1, it is recited in lines 6-7, “a spacer sleeve, at least a portion of the spacer sleeve being disposed between the sliding sleeve and the collet chucks such

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that the collet chucks do not directly contact the sliding sleeve." (emphasis added). It appears that the Applicant is attempting to define a structural limitation of a positively recited element, i.e. the spacer sleeve, based upon reference to a non-positively recited element, i.e. the collet chucks. The collet chucks are only functionally recited in claim 1, line 3, with "for locking collet chucks".

9. In regard to claim 3, it is recited in lines 1-2, "wherein the collet chucks are inserted into the longitudinal grooves". Claim 3 is placing a limitation on a non-positively claimed element, i.e. the "locking collet" as functionally recited in lines 3 and 5-6 of claim 1.

10. In regard to claim 4, it is recited in line 2, "wherein the guide sleeve comprises a centering incline at its front end" (emphasis added). The use of the pronoun "its" results in a lack of clarity as one is not apprised as to precisely what structure the limitation applies. Does the guide sleeve have a centering incline or does some other recited structure have a centering incline? Further, it is unclear as to what constitutes a "front end" as no frame of reference has been established in the claims.

11. In regard to claim 5, it is recited in line 2, "of outwardly spread collet chucks". Are the noted "collet chucks" the same structural elements as the previously recited "collet chucks" as found in claim 1 or another set of "collet chucks".

***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. As best understood, claims 1, 3, 4, 5, 7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lamphear (U.S. 3,077,330).

14. In regard to claim 1, Lamphear discloses in Figures 4 and 6, see Attachments A, B, and C, a connection coupling comprising;

a sliding sleeve (as observed in Figure 6, see Attachment A) for locking collet chucks via a connection nipple;

a guide sleeve (as observed in Figure 6, see Attachment A) with longitudinal grooves (as observed in Figure 6, see Attachment A, and column 4, lines 45-51) in which the collet chucks are guided; and

a spacer sleeve (as observed in Figure 6, see Attachment A), at least a portion of the spacer sleeve being disposed between the sliding sleeve and the collet chucks (as observed in Figure 6, see Attachment C, the spacer sleeve is both radially and in a direct line between the sliding sleeve and the collet chucks) such that the collet chucks do not directly contact the sliding sleeve.

15. In regard to claim 3, Lamphear further discloses that the collet chucks are inserted into the longitudinal grooves (as indicated by collet chucks presence in the longitudinal grooves of invention of Lamphear as observed in Figure 6, see Attachment A, they are inserted).

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16. In regard to claim 4, Lamphear further discloses that the guide sleeve comprises a centering incline at its front end (as observed in Figure 6, see Attachment A).

17. In regard to claim 5, Lamphear further discloses a radially circular annular groove (as observed in Figure 6, see Attachment A) for receiving the radially outer ends of the outwardly spread collet chucks arranged radially outside of the guide sleeve.

18. In regard to claim 7, Lamphear further discloses that the guide sleeve is exchangeably fastened with at least one straight pin to a front housing part (the pin impedes the outer sleeve portion of the invention of Lamphear from sliding off; therefore, as the outer sleeve portion must be removed to disassemble the invention of Lamphear, the guide sleeve is "exchangeably fastened" by the pin).

19. In regard to claim 9, Lamphear further discloses three collet chucks and three longitudinal grooves provided in a 120° division in the guide sleeve (as observed in Figure 4, see Attachment B, and column 4, lines 45-51).

20. As best understood, claims 1, 3-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Baumann et al (U.S. 6,179,300).

21. In regard to claim 1, Baumann et al disclose in figure 1, see Attachment D, a coupling comprising;

a sliding sleeve (as observed in Figure 1, see Attachment D) for locking collet chucks via a connection nipple;

a guide sleeve (as observed in Figure 1, see Attachment D) with longitudinal grooves in which the collet chucks are guided; and

a spacer sleeve (as observed in Figure 1, see Attachment D), at least a portion of the spacer sleeve being disposed between the sliding sleeve and the collet chucks such that the collet chucks do not directly contact the sliding sleeve.

22. In regard to claim 3, Baumann et al further disclose that the collet chucks are inserted into the longitudinal grooves (as indicated by collet chucks presence in the longitudinal grooves of invention of Baumann et al as observed in Figure 1, see Attachment D, they are inserted).

23. In regard to claim 4, Baumann et al further disclose that the guide sleeve comprises a centering incline at its front end (as observed in Figure 1, see Attachment D).

24. In regard to claim 5, Baumann et al further disclose that a radially circular annular groove (as observed in Figure 1, see Attachment D) for receiving the radially outer ends of outwardly spread collet chucks is arranged radially outside of the guide sleeve.

25. In regard to claim 6, Baumann et al further disclose that the annular groove is formed in a shoulder between the sliding sleeve and a spacer sleeve (as observed in Figure 1, see Attachment D).

26. In regard to claim 8, Baumann et al further disclose a scraper ring (as observed in Figure 1, see Attachment D) held radially within the collet chucks around a sealing piston (as observed in Figure 1, see Attachment D).

***Response to Arguments***

DPS 27. Applicant's arguments with respect to claims 1, and <sup>3</sup>~~7~~-9 have been considered but are moot in view of the new ground(s) of rejection.  
A



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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay R. Ripley whose telephone number is 571-272-7535.

The examiner can normally be reached on 01:00 P.M. - 8:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



J. R. Ripley  
09 OCT 2007



DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

# ATTACHMENT A

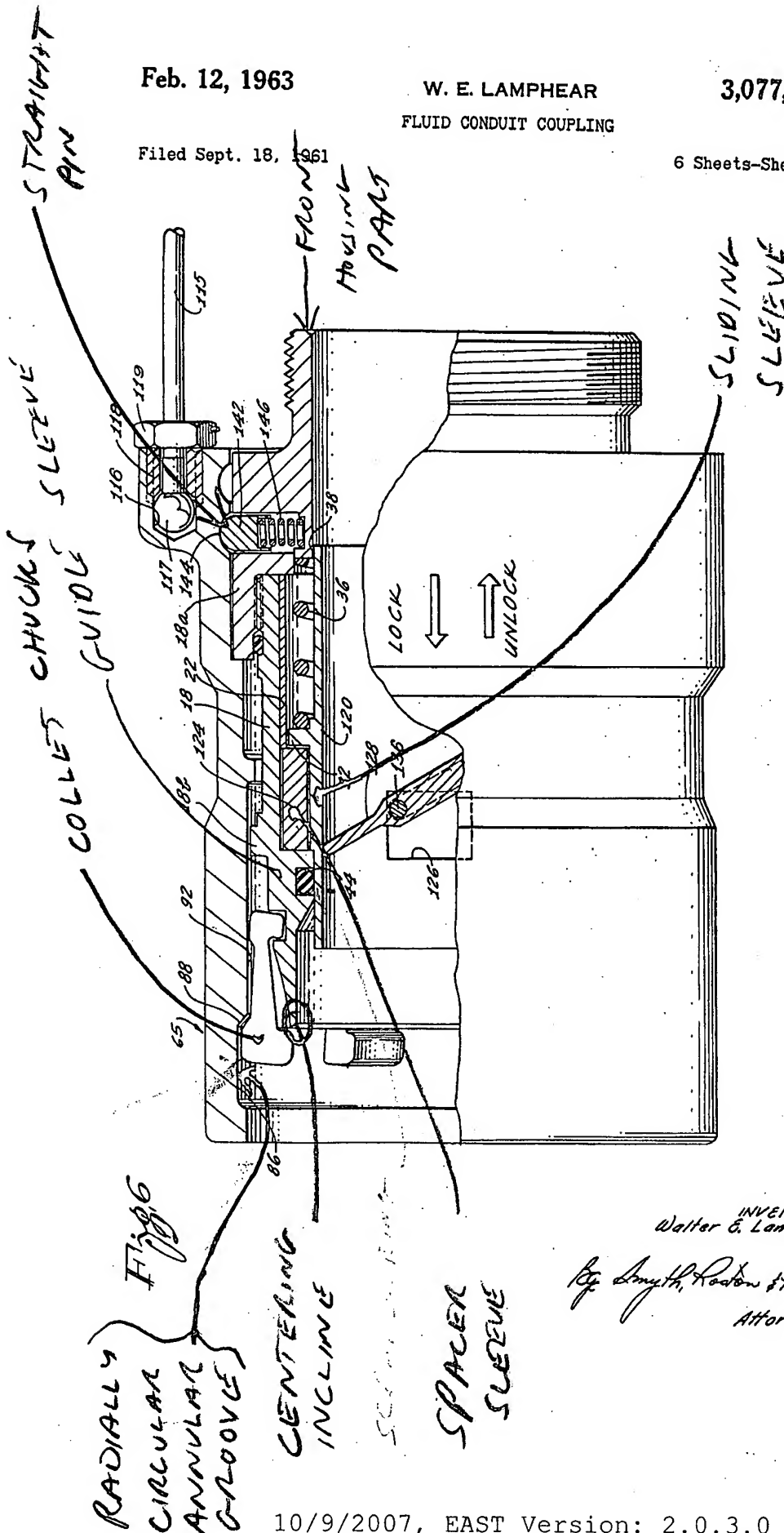
Feb. 12, 1963

W. E. LAMPHEAR  
FLUID CONDUIT COUPLING

3,077,330

Filed Sept. 18, 1961

6 Sheets-Sheet 3



INVENTOR:  
Walter E. Lamphear

By Smith, Roston & Pavitt  
Attorneys

# ATTACHMENT B

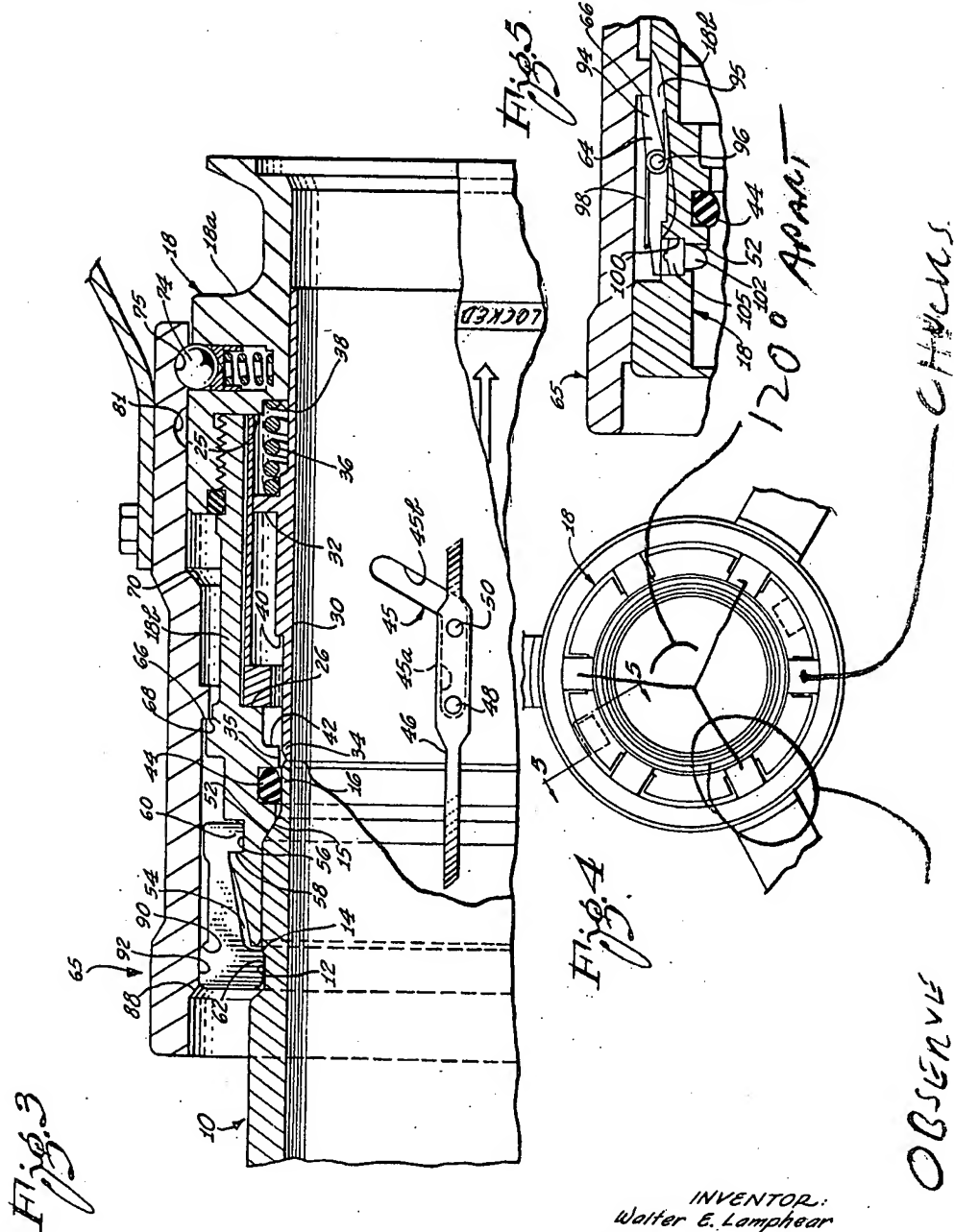
Feb. 12, 1963

W. E. LAMPHEAR  
FLUID CONDUIT COUPLING

3,077,330

Filed Sept. 18, 1961

6 Sheets-Sheet 2



INVENTOR:  
Walter E. Lamphear  
By *Amuth, Horton & Pavitt*  
Attorneys.

OBSERVE  
SPACE AROUND  
CHUCK - INDICATIONS  
OF LONGITUDINAL GROOVES  
CHUCKS.

# ATTACHMENT C

Feb. 12, 1963

W. E. LAMPHEAR  
FLUID CONDUIT COUPLING

3,077,330

Filed Sept. 18, 1961

6 Sheets-Sheet 3

SPACER IN-LINE BETWEEN  
CHUCKS AND SLIDING SLEEVE

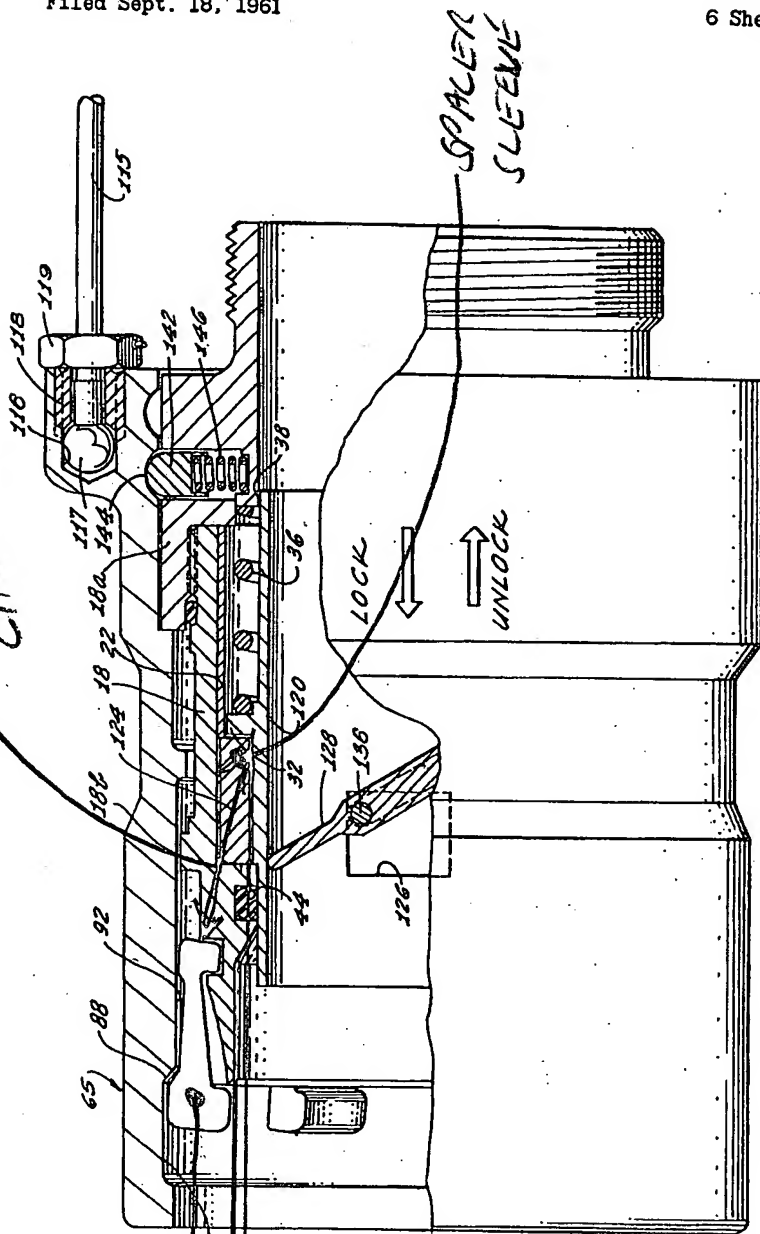


Fig. 6

CHUCKS

SPACER  
RADIALLY  
BETWEEN  
CHUCKS AND  
SLIDING  
SLEEVE

INVENTOR:  
Walter G. Lamphear

By *Smith, Radon & Parvitz*  
Attorneys

# ATTACHMENT D

U.S. Patent

Jan. 30, 2001

Sheet 1 of 6

US 6,179,300 B1

